

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT

IN AND FOR MIAMI-DADE COUNTY, FLORIDA

CASE NO.: 2024-022769-CA-01

Judge Fajardo Orshan, Ariana

KP INVESTMENTS MIAMI, LLC

Plaintiff,

v.

MARIO MIRABAL,

Defendant.

NOTICE OF APPELLATE JURISDICTION AND REQUEST TO DEFER FURTHER ACTION

COMES NOW the Defendant, MARIO MIRABAL, pro se, and hereby gives notice to this Court of the following:

This matter was removed to federal court as Case No. 1:25-cv-20747-JEM, and remanded to this Court by Judge Jose E. Martinez.

The undersigned has filed a timely Notice of Appeal from the federal remand order, now docketed in the U.S. Court of Appeals for the Eleventh Circuit as Case No. 25-10862.

The Eleventh Circuit now holds jurisdiction over the question of subject matter jurisdiction. As such, this Court is respectfully requested to defer all proceedings, including any hearings or dispositive motions, until the federal appellate court has resolved the appeal.

Proceeding while appellate jurisdiction is pending would risk conflicting rulings, impair judicial economy, and violate Defendant's due process rights, especially where the appellate court may invalidate the remand itself.

Defendant files this Notice in good faith and in the interest of protecting this Court's resources

while ensuring consistent and constitutionally sound adjudication.

Respectfully submitted,

Mario Mirabal

Pro Se Defendant

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